

1 THE HONORABLE JOHN C. COUGHENOUR
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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 UNITED STATES OF AMERICA,) CASE NO. CR16-0252-JCC
9 Plaintiff,)
10 v.) MINUTE ORDER
11 STEPHEN J. TWINING,)
12 Defendant.)
13

14 The following Minute Order is made by direction of the Court, the Honorable John C.
15 Coughenour, United States District Judge:

16 This matter comes before the Court on Defendant Stephen Twining's second
17 unopposed motion to continue trial (Dkt. No. 20) and speedy trial waiver (Dkt. No. 21). The
18 Court hereby GRANTS the motion (Dkt. No. 20) and FINDS that:

19 (a) Taking into account the exercise of due diligence, a failure to grant a continuance in
20 this case would deny defense counsel the reasonable time necessary for effective preparation
21 due to counsel's need for more time to review the evidence, consider possible defenses, and
gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv);

22 (b) Failure to grant such a continuance in this proceeding would likely result in a
23 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i);

24 (c) The additional time requested is a reasonable period of delay, as Defendant has
25 requested more time to prepare for trial, to investigate the matter, to gather evidence material to
26 the defense, and to consider possible defenses;

1 (d) The case is sufficiently complex that it is unreasonable to expect adequate
2 preparation for pretrial proceedings or the trial itself within the current trial schedule, as set
3 forth in 18 U.S.C. § 3161(h)(7)(B)(ii);

4 (e) The ends of justice will best be served by a continuance, and the ends of justice
5 outweigh the best interests of the public and Defendant in any speedier trial, as set forth in 18
6 U.S.C. § 3161(h)(7)(A);

7 (f) The additional time requested between the current trial date of January 30, 2017 and
8 the new trial date of April 24, 2017 is necessary to provide defense counsel the reasonable time
9 necessary to prepare for trial, considering counsel's schedule and all of the facts set forth
10 above; and

11 (g) The period of delay from the date of this order to the new trial date of April 24,
12 2017 is excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

13 It is therefore ORDERED that the jury trial date in this matter shall be continued to
14 Monday, April 24, 2017 and that pretrial motions shall be filed no later than Thursday,
15 March 23, 2017.

16 DATED this 3rd day of January 2017.

17 William M. McCool
18 Clerk of Court

19 s/Paula McNabb
20 Deputy Clerk